

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2579** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, in line 28, by striking "\$50,000" and inserting "\$65,000"; in line 43, after "\$100,000" by inserting "or 25% of the award, whichever is greater,";

On page 3, in line 10, after "section" by inserting "not to exceed a total of \$25,000, unless a greater reasonable total is authorized by the court upon a finding of good cause shown"; in line 14, by striking "finance literary" and inserting "financial literacy";

On page 4, by striking all in lines 1 through 7;

On page 6, in line 23, after "(2)" by inserting "Payment of a judgment arising from a claim pursuant to section 1, and amendments thereto, shall be subject to review by the state finance council. The attorney general shall notify the state finance council of the need for such review and ensure that payment of the judgment occurs without unnecessary delay.

(3) ";

Also on page 6, in line 25, after the period by inserting:

"(4)";

Also on page 6, in line 27, after the period by inserting:

"(5)";

On page 9, in line 23, by striking "attorney general" and inserting "secretary of health and environment or the secretary's designee"; following line 27, by inserting:

"New Sec. 5. (a) On completion of a jury trial in a civil action and before the jury is discharged, the judge shall inform the jurors that they have an absolute right to discuss or not to discuss the deliberations or verdict with anyone except as provided in subsections (f) and (g). The judge shall also inform the jurors of the provisions set forth in subsections (b), (c), (d) and (e).

(b) Immediately following the discharge of the jury in a civil action, the defendant, or the defendant's attorney or representative, or the plaintiff, or the plaintiff's attorney or representative, may discuss the jury deliberations or verdict with a member of the jury only if the juror consents to the discussion.

(c) If a discussion of the jury deliberations or verdict with a member of the jury occurs at any time other than immediately following the discharge of the jury, prior to discussing the jury deliberations or verdict with a member of a jury, the defendant, or the defendant's attorney or representative, or the plaintiff, or the plaintiff's attorney or representative, shall inform the juror of the identity of the case, the party in the case that the person represents, the subject of the interview, the absolute right of the juror to discuss or not discuss the deliberations or verdict in the case with the person and the juror's right to review and have a copy of any declaration filed with the court.

(d) Any unreasonable contact with a juror by the defendant, or the defendant's attorney or representative, or by the plaintiff, or the plaintiff's attorney or representative, without the juror's consent shall be immediately reported to the trial court.

(e) Any violation of this section shall be considered a violation of a lawful court order and may be punished as contempt of court.

(f) Nothing in this section shall prohibit a law enforcement officer from discussing the deliberations or verdict with a member of the jury for the purpose of investigating an allegation of criminal conduct.

(g) Nothing in this section shall prohibit the court or a judge from discussing the deliberations or verdict with a member of the jury for any lawful purpose.

(h) This section shall be part of and supplemental to the code of civil procedure.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "actions" by inserting "and civil procedure"; in line 3, after "program" by inserting "; contact with jurors, procedures and limitations; code of civil procedure";

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House